VIRGINIA GAZETTE, AND GEN^L. ADVERTISER.

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NUMBER 1324.] WEDNESDAY, JUNE 19, 1805. [VOLUME XIX.

PRECIPITATE.

IMPORTED by Mr. Lightfoot, of Sandy Point, laſtwinter, full 15 hands and a half high, will ſtand at my ſtable in Cheſterfield county, Appomattox River, 15 miles above Peterſburg, to be let to mares at Ten Guineas a mare, two of which will be remitted, if paid within the ſeaſon, which will commence the tenth of March, and expire the firſt of Auguſt next. Board of ſervants, *gratis*; mares may be fed at two ſhillings per day I have large and extenſive paſturage, divided in five different incloſures, that mares with foal may be kept diſtinct from barren mares One dollar to the groom. No liability for accidents of any deſcription.

PRECIPITATE was bred by Lord Egremont, foaled in 1787, got by Mercury, (a ſon of Eclipſe) dam by Herod, his grandam Maiden by Matchem, out of Mr. Pratt's old Squirt mare; her dam by Mogul—Camilla by Bay Bolton—Old Lady Dam of Sterling by Pulleine's cheſnut *Arabian*—Rockwood Butler.

PERFORMANCE.

In the firſt ſpring meeting, 1790, at New Market, when three years old, he won the firſt claſs of the Princes Stakes of 100 guineas each, beating Thunderbolt, Chanticleer, and Sir Peter Pepper, four having paid forfeit. In the ſame week he won the the Bolton Stakes of 50 guineas each, beating Chambooe, Dragon and Pallafox; ſeven paid forfeit. And in the ſame week he received 100 guineas forfeit from Lord Groſvenor's Radamanthus.

In 1792 he won 50l. at Guildfield, beating Dodge, Thunderbolt, Sarmgapatam and Stout; the next day 50l. at the ſame place, beating Cardock and Griffin. He alſo won the King's 100 guineas. at Lewes, beating Skyſcraper, at three heats, the firſt being a dead heat. After which he was ſo highly eſteemed that he become a ſtallion in his lordſhip's ſtud at 12 guineas a mare. This horſe is the ſire of the following running horſes in England: Johnquil, Petworth, Matrana, Roſalba, Cheſnut Colt out of Bobtail, Cheſnut Colt out of Roſemary, Humbug, Lazarus, Raginier, Apollo, Gulliver, Tag, Louiſa, Tipſtaff, Mr. Heathcote's Filly out of Reeves, Alchymiſt, Clodhopper, Grey Filly his R. H. Lampadoſa, Mars, Mary, Matrance. Bay Filly Mr. Brown's, Grey Filly, Mr. Radcliff's, Tax, Tipſtaff and Bobtail.

THOMAS GOODE.

February 20th, 1805.

Virginia:

In the Superior Court of Chancery, holden in Richmond, March, 22d, 1804,

BETWEEN

Robert Innes, Adminiſtrator, of Hugh Innes, dec.—Pltff.

AND

William Donalson, Adminiſtrator of John Donalson, and Daniel Call, Defendants,

THE defendant, William Donalson, not having entered his appearance and given ſecurity according to the act of Aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court, that he is not an inhabitant of this country: On the motion of of the plaintiff, by his counſel, *It is ordered*, that the ſaid defendant do appear here, on the firſt day of the next September term, and anſwer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome Newspaper publiſhed in the city of Richmond, for two months ſucceſſively, and poſted on the front door of the capitol in the ſaid city.

(A copy)—Teſte,

PETER TISNLEY, c. c.

Virginia:

At a Superior Court of Chancery, holden in Richmond, the 22d day of March, 1804,

BETWEEN

ROBERT ROSE, Plaintiff,

AND

HENRY ROSE, Defendant.

THE defendant not having entered his appearance and given ſecurity according to the act of Aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court, that he is not an inhabitant of this country: On motion of the Plaintiff, by his counſel, *It is ordered*, that the ſaid defendant do appear here, on the firſt day of the next September term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inſerted in ſome Newspaper publiſhed in the city of Richmond, for two months ſucceſſively, and poſted on the fron door of the capitol in the ſaid city.

A Copy—Teſte,

P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery holden in Richmond,

BETWEEN

Thomas Fitzhugh, and Nancy his wife, Pltffs.

AND

Henry Roſe, one of the heirs and executors of John Roſe, Robert Roſe, another heir of the ſaid John, Alexander Roſe, another heir of the ſame John, and deviſee of Charles Roſe, deceaſed, and Catharine Roſe, relict and widow of John Roſe, and Maria Moore Roſe, Defendants.

THE defendant, Henry Roſe, not having entered his appearance and given ſecurity according to the act of Aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court, that he is not an inhabitant of this country: On motion of the plaintiffs, by their counſel, *It is ordered*, that the ſaid defendant do appear here, on the firſt day of the next September term, and anſwer the bill of the plaintiffs; and that a copy of this order be forthwith inſerted in ſome Newspaper publiſhed in the city of Richmond, for two months ſucceſſively, and poſted on the front door of the capitol in the ſaid city.

A Copy—Teſte.

PETER TINSLEY, c. c.

Blank Bills of Lading,

FOR SALE

AT THIS OFFICE.

AGENTS for the VIRGINIA GAZETTE.

Mr. Eleazer A. Jenks,	Portland, (Maine.)
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Benjamin Ruſſell, Eſq.	Boſton.
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Editor of the Charleſton Courier,	Charleſton, S. C.
Stephen Bullock, Eſq.	Port Gibſon, M. Ter.

PLEADINGS OF COUNSEL ON THE IMPEACHMENT OF JUDGE CHASE.

THURSDAY, FEBRUARY 27.

[*Mr. Hopkinſon, in continuation.*]

I have conſidered theſe obſervations on the neceſſary independence of the judiciary applicable and important to the caſe before this honorable court to repel the wild idea that a judge may be impeached and removed from office although he has violated no law of the country, but merely on the vague and changing opinions of right and wrong—propriety and impropriety of demeanor. For if this is to be the tenure on which a judge holds his office and character; if by ſuch a ſtandard his judicial conduct is to be adjudged criminal or innocent, there is an end to the independent of our judiciary. In oppoſition to this reaſoning I have heard (not from the honorable managers) a ſort of jargon about the ſovereignty of the people, and that nothing in a republic ſhould be independent of them—No phraſe in our lahguage is more abuſed or miſunderſtood. The juſt and legitimate ſovereignty of a people is truly an awful object, full of power and commanding reſpect. It conſiſts in a full acknowledgement that all power originally emanates in ſome way from them, and that all reſponſibility is finally in ſome way due to them. And whether this is acknowledged or not, they have, if driven to the laſt reſort, a phyſical force, to make it ſo—But, ſir, this ſovereignty does not conſiſt in a right to controul or interfere with the regular and legal operations and functions of the different branches of the government at the will and pleaſure of the people. Having delegated their power, having diſtributed it for various purpoſes into various channels, and directed its courſe by certain limits, they have no right to impede it while it flows in its intended directions—Otherwiſe we have no government—In like manner the officers of government are reſponſible in certain periods, for the exerciſe of their duties and powers—but the people have no right to make them accountable in any other manner or at any other period than that preſcribed by the great compact of government—or conſtitution. Having parted with their power under certain regulations and reſtrictions, they are done with it—they are bound by their own act, and having retained and declared the manner in which they will correct abuſes in office, they have no right to claim any other ſort or reſponſibility—If this be not the caſe, what government have we? What ſyſtem of aſſociation? None—But are truly in a ſtate of ſavage anarchy and ruthleſs confuſion; with all the vices incident to civilization without the reſtraints to controul them.

Having diſcuſſed this neceſſary preliminary point as to what is or is not impeachable, I will proceed to a conſideration of the charges now in iſſue between the reſpondent and the Houſe of Repreſentatives of the United States. It will be ſome relief to this honorable court to learn that for the expediting of this trial, and to avoid uſeleſs and irkſome repetition, the counſel for the reſpondent have divided the articles of impeachment themſelves. I ſhall beg leave to addreſs you on the firſt article, which relates to tranſactions at Philadelphia, on the trial of John Fries for high treaſon.

The gentleman [Mr. Early] who has offered you his obſervations on theſe articles of impeachment, appears to have grounded his argument, not on the evidence, but on the articles. Suppoſing, perhaps, that they would be proved, he has taken it for granted that they have been proved, and has ſhaped his remarks accordingly. Had we filed a general demurrer of theſe charges, thereby admitting them as ſtated, the argument of the gentleman might have had the force and application he intended. But if I miſtake not, the reſpondent has pleaded not guilty, and the caſe muſt therefore be decided by the amount of the evidence, and by the averments of the articles. I admit, indeed, that the honorable managers are put to ſome difficulty in this reſpect. They are under the neceſſity of making their election between the articles and the evidence as the foundation of their argument; for they are ſo totally diſſimilar that they could not take them both: they meet in ſo few and ſuch immaterial points, that no man can argue from them both, for five ſentences. This being the ſituation of the gentleman, he has thought proper to ſelect the articles and the facts therein ſet forth as the foundation of his argument in defiance of the teſtimony. In the obſervations I ſhall have the honor to ſubmit, I propoſe to take the evidence as my text and guide, and leave the articles to ſhift for themſelves under the care and patronage of our honorable opponents.

Upon reading this firſt article of impeachment againſt the reſpondent, after a due degree of horror and indignation at the monſtrous tyranny and oppreſſion pourtrayed in it, the firſt queſtion that would ſtrike the mind of the enquirer would naturally be, when did this horrid tranſaction take place? When and where was it that judge Chaſe thus perſecuted an unfortunate wretch to the very brink of the grave, from which he was ſnatched by the interference of executive mercy, ſhocked at the injuſtice of his condemnation? When were the rights of juries and the privileges of counſel and their clients thus thrown down and proſtrated at the feet of a cruel and inexorable judge? What would this enquirer think and believe on being informed that theſe atrocious outrages upon juſtice, law, juſtice and humanity were perpetrated five years ſince? Why, and where has the juſtice of the country ſlumbered ſo long? What now awakens it from this lethargic ſleep? Why has this monſtrous offender ſo long eſcaped the puniſhment of his crimes? To what region of refuge did he fly? But will not ſurprize be greatly increaſed, when it is told that at the time of the trial of John Fries, this injured and oppreſſed man, at the very time when theſe crimes of the judge were committed, the Congreſs of the United States, the guardian of our lives and liberties, were actually in ſeſſion in the very city where the deeds were done, and probably witneſſed the whole tranſaction. I do not expect to be anſwered here, for I cannot ſuſpect our honorable opponents of ſo much illiberality, that at that period the adminiſtration of our affairs was in the hands of the political friends of the judge, and therefore he was permitted to eſcape, however atrocious his crimes. Whatever, ſir, may have been the character of that adminiſtration, even if a weak and wicked one, as it has been repreſented, it could have no object in protecting any individual at ſo great a riſk to themſelves and their reputation. If judge Chaſe had really violated the law and conſtitution to come at the blood of Fries, and had done this in the face of the public, the adminiſtration would have put too much at hazard by endeavoring to ſhelter him. I hope, however, no ſuch reaſon will be given for the neglect of theſe charges. And as we muſt cheerfully and truly confide in the juſtice of the preſent adminiſtration, we truſt no ſuch diſtruſt will be avowed of the integrity of the former—we feel as ſafe under trial now as we ſhould have done then, and look without diſtruſt for the ſame impartial juſtice from this honorable court, as we ſhould have expected and received at any time.

We feel, however, ſir, a ſerious inconvenience from the delay of this proſecution. In five years facts fall into oblivion, and witneſſes engaged in their ordinary occupations of life cannot tax their memories with the circumſtances of ſuch diſtant events. It is difficult to diſcover indeed who were preſent at the tranſaction. To guard againſt injuſtice of this kind, even in civil caſes, and protect us from fraudulent and ſlumbering demands, a limitation is put by law upon the claims of every man.—The criminal code of the United States has juſtly adopted the ſame principle. By a ſtatute, no perſon ſhall be proſecuted or puniſhed for treaſon or other capital offence, with ſome exceptions, unleſs the indictment be found within three years after the offence is committed, and for ſmaller offences the proſecution muſt be inſtituted within two years. We cannot it is true claim the benefit of the letter of this law, but we may claim ſomething from its principal; in expecting from this honorable court every indulgence and allowing for any deficiency of our proof, which ſhould be attributed not to the real weakneſs of our caſe, but to the unreaſonable ſtaleneſs of the charges. Judge Chaſe was a ſtranger in Philadelphia, and neceſſarily found extreme difficulty in diſcovering what perſons were in court at the time to which the charges relate, and in ſelecting thoſe who had the beſt recollection of the tranſaction.

This firſt article, ſir, charges, "That unmindful of the ſolemn duties of his office, and contrary to the ſacred obligations by which he ſtood bound to diſcharge them faithfully and impartially and without regard to perſons, the ſaid Samuel Chaſe on the trial of John Fries, charged with treaſon, before the circuit court of the United States, held for the diſtrict of Pennſylvania, in the city of Philadelphia, during the months of April and May 1800, whereat the ſaid Samuel Chaſe preſided, did in his judicial capacity, conduct himſelf in a manner highly arbitrary, oppreſſive and unjuſt." This general accuſation is followed by three diſtinct ſpecifications of offence, to wit:

"1. In delivering an opinion, in writing, on the queſtion of law, on the conſtruction of which the defence of the accuſed materially depended, tending to prejudice the minds of the accuſed againſt the caſe of the ſaid John Fries, the priſoner, before counſel had been heard in his defence.

"2. In reſtricting the counſel for the ſaid Fries from recurring to ſuch Engliſh authorities as they believed appoſite, or from citing certain ſtatutes of the United States, which they deemed illuſtrative of the poſitions upon which they intended to reſt the defence of their client.

"3. In debarring the priſoner from his conſtitutional privilege of addreſſing the jury, (through his counſel) on the law as well as on the fact, which was to determine his guilt, or innocence, and at the ſame time endeavoring to wreſt from the jury their indiſputable right to hear argument, and determine upon the queſtion of law, as well as the queſtion of fact, involved in the verdict which they were required to give."

In the whole of theſe ſpecifications I am able to diſcover but one truth; the reſt is wholly contradicted and diſproved by the evidence. It is true, that judge Chaſe did form and reduce to writing, and, in a limited manner, deliver an opinion upon the queſtion of law, on the conſtruction of which the defence of the accuſed materially depended—but when the article goes on to charge that this opinion tended to prejudice the minds of the jury againſt the caſe of John Fries, the priſoner, becauſe counſel had been heard in his defence, it is utterly unfounded and untrue. To whom was this opinion delivered? To the counſel for Fries and to the attorney for the United States; and to no other perſon. The third copy, and but three were made, never was delivered to the jury or to any other perſon, and never could produce any prejudice or injury to John Fries.—Nor indeed was it ever intended to come to the knowledge of the jury, until they had completely heard the diſcuſſion of the caſe by counſel, when they were to have *taken out* with them this opinion of the judge upon the law of the caſe ſubmitted to them. At that period of the trial when it was not only the right but the duty of the court to ſtate to the jury their opinion of the law ariſing on the facts, then and not until then was it the intention of the judge to communicate to them this deliberate opinion. Could this be done with any intention to injure or oppreſs the priſoner? If ſuch was the intention of the act, then and not otherwiſe, it was criminal. In enquiring into the nature of this act, I confine myſelf now to the forming and delivery of this opinion, and to decide its innocence or criminality, we ſhould conſider it in relation to its *motives*, its *time and manner*, and its *conſequences*. If nothing partial, oppreſſive or corrupt is to be found in any of theſe, I know not in what or whence the criminality is to be eſtabliſhed. In deciding, ſir, upon the *motives* which prompted the judge to act, we muſt look for materials in the teſtimony: by this we muſt be governed, and not by the imputations, ſurmiſes and conſtructions of our opponents, however eloquent and ingenious. The judge and his motives are not only ſtongly denounced in the article, but have alſo had the ſame fate from the mouths of the managers. I take the evidence for my guide, and I know it will be the guide of this honorable court.

What then, ſir, did judge Chaſe declare himſelf to be the reaſons which induced him to form his opinion, to reduce it to writing, and to hand it to the council? And permit me here, ſir, to ſtate that in all criminal proſecutions for an act equivocal in itſelf, and whoſe character of guilt or innocence depends upon the *intention* with which it was done, the declamations of the party, made at the time, are always received in evidence to aſcertain and fix the true character of the act; and the fair and legal explanation of the act is taken and derived from ſuch declarations of the party, if not diſproved by other evidence. What then did judge Chaſe himſelf ſay of his intention and motives in relation to this opinion? Mr. Lewis ſtates that on this occaſion judge Chaſe ſaid, that he had underſtood that at the former trial *there had been a great waſte of time* on topics which had nothing to do with the buſineſs or caſe, and in reading common law deciſions on the doctrine of treaſon, as well as under the ſtatute of Edward the 3d before the revolution; and alſo relating to certain acts of Congreſs for crimes leſs than treaſon. That *to prevent this in future*, he or they had conſidered the law, made up their minds and reduced it to writing. And in order that the counſel might govern themſelves accordingly, had ordered three copies to be made out, &c. &c. Here then, the judge, at the time of the act now charged to proceed from a corrupt and partial intention, declares in unequivocal language what were his true motives. His object was to prevent an unneceſſary waſte of time in a court, where a vaſt deal of criminal and civil buſineſs was then depending and waiting for trial. This was the motive, and the only motive declared and avowed by the judge, at the time he delivered this offenſive paper, and unleſs it be diſproved by the evidence or the circumſtances of the caſe, it muſt be taken to be the true one. It is not a ſubject of enquiry now whether the reaſon he aſſigned for this proceeding be a good or bad one; it is enough to our purpoſe that it muſt certainly is neither partial or corrupt. As the motive was not partial, ſo neither was or could be the act oppreſſive to the priſoner, unleſs the judge in executing the deſign of preventing the waſte of time, purſued it in an unreaſonable extent. If he conſtructed only the introduction of irrelevant matter, and did not exclude any thing that could and *ought* to have benefitted the priſoner, he was guilty of no injuſtice or impropriety. If the proper and legal rights of the counſel of the priſoner were curtailed to his injury, there was certainly injuſtice done; but if nothing more than wholeſome and reaſonable reſtrictions were impoſed, to the manifeſt advantage of the general buſineſs of the court and of other ſuitors there, without any unjuſt detriment to John Fries, then not only the motive was correct, but the act was highly laudible. And ſuch was undoubtedly the caſe. If we go no further than Mr. Lewis's teſtimony on this ſubject, every idea of an intention on the part of the judge to injure or oppreſs John Fries is done away. As far as the judge declared himſelf, his intention was pure and correct, and we cannot ſay that in the execution of this correct intention, he would have carried it to ſuch exceſs as to produce oppreſſion and injuſtice. The deſign was cruſhed in embryo; as far as we are acquainted with it, it is fair and clear of oppreſſion, and we are not authoriſed to preſume that if it had proceeded farther, it would have changed his character and become partial and corrupt. It is well known in Pennſylvania, that the loudeſt clamours are made againſt our courts for the delays of juſtice and the unreaſonable time ſpent in the trial of every cauſe. The complaints had doubtleſs reached the ears of the judge; there was an erroneous liſt of civil cauſes then before him, and he preſumed that an expedient fairly to ſave time, would have been acceptable to every body, to counſel as well as to ſuitors.

I have as yet conſidered this part of the caſe, only in its moſt favorable aſpect to the reſpondent. Upon turning to the teſtimony of the other witneſſes, its complexion becomes much more mild and unexceptionable. The ſuggeſtion, that this opinion made up by the court, and handed to the counſel, was declared to be final and concluſive upon them, and that no argument in oppoſition to it was to be permitted or heard, reſts wholly and ſolely on the recollection of Mr. Lewis. Mr. Dallas was not in court at the time it is ſuppoſed to have happened; no other witneſs of all that were preſent have any remembrance of any ſuch declaration, and two witneſſes expreſsly diſprove it. Mr Edward Tilghman ſtates that judge Chaſe declared that the court had maturely conſidered the law ariſing upon the overt acts charged in the indictment againſt John Fries. That they had reduced their opinion to writing; that he underſtood a great deal of time had been conſumed upon the former trial, and that *in order to ſave time*, a copy of the opinion of the court would be given to the attorney of the diſtrict; another to the counſel of the priſoner, and that the jury ſhould have a third *to take out with them*. Mr Tilghman further ſtates that previouſly to the throwing of the papers on the table, and at the moment it was done, the judge expreſſed himſelf in theſe words: "Nevertheleſs or notwithſtanding counſel will be heard."—Mr. Rawle, a witneſs examined, as well as Mr. Tilghman on the part of the managers, give the ſame account of the declared motive of the judge in preparing this opinion, to ſave time, as much had been loſt at the former trial; and ſtates that the judge ſaid the court had determined to expreſs their opinion in writing on law, *that they might not be miſunderſtood*. Here we find the reaſon not only for forming the opinion, but for reducing it to writing alſo. The court, continues Mr Rawle, obſerved, that they had therefore committed their opinion to writing—that the clerk had made three copies, one of which ſhould be given to the diſtrict attorney; one to the counſel for the priſoner, and one the jury *ſhould take out with them*. To put this part of the tranſaction beyond doubt, and ſtrengthen, if poſſible, the character it now bears, I beg this honorable court to advert for a moment to Mr Meredith's teſtimony. He too ſtates

that the judge declared the court on great deliberation had formed an opinion on the law on the overt acts set forth in the indictment; and that *to save time and prevent mistakes*, this opinion was reduced to writing; the copies to be distributed as mentioned by the other witnesses. He further expressly avers that the judge when he threw down the papers declared that the giving of this opinion was not intended to preclude the counsel from being heard, or from expressing any objections to its correctness. After this mass of concurring testimony, can the motive of the judge in forming and delivering this opinion be misrepresented or misunderstood; and can it now be believed or pretended that it was done, as the article charges, to prejudice the mind of the jury against John Fries before counsel had been heard in his defence? In order to bear up this charge against this weight of evidence and support Mr Lewis's testimony in discredit of that delivered by the other witnesses, the managers who have spoken to this part of the case pretended that Mr Lewis should be most relied upon, because most interested in the transaction. This interest, sir, may have given a false colouring and appearance to the conduct of the judge, and his anxious zeal for his client may have represented the conduct of the court to his mind in harsher views than it deserved. I have always understood that those witnesses were most to be relied upon who were most cool and least interested in the transaction to which they testify. But the ingenious gentlemen invert this rule. But, sir, I have no intention of making a comparison between the credibility of these witnesses; they are all respectable above suspicion. It is a question of memory and not of character between them, and we must judge from various combinations of circumstances in ascertaining the respective correctness of memory. Mr Lewis himself most candidly declared his memory to be very uncertain and imperfect of distant events. Besides Mr Tilghman and Mr Meredith positively aver that the judge said, counsel would be heard on the correctness of that opinion. Now Mr Lewis does not and cannot say, that the judge did not say so, but his evidence is no more than this, either that he did not hear it at the time, or that he does not remember it now. I refer the honorable managers to their own rule about affirmative and negative testimony. In the Baltimore case, a single, solitary, unsupported witness (Mr Montgomery) swears to a declaration of the judge, which some fourteen or fifteen respectable witnesses both for and against this prosecution, with equal and better opportunities of hearing all the judge said at that time, declare was not, to the best of their knowledge, uttered by the judge, nor any thing like it. Now say the managers, this single affirmative Mr Montgomery, is more to be depended upon than all the other witnesses put together — And if any body can think so, let it be so. But in Fries's case, we produce two affirmative witnesses against one negative witness, who testifies himself to the imperfection of his memory.

I presume, sir, I have most firmly established the point that the judge, in making up this opinion, had really and truly no other object or motive than to prevent a burthensome and useless waste of time.—And sure I am, that whoever attended the first trial of Fries, would see the necessity of some regulation for this purpose. How then did the judge carry this intention into execution? The opinion of the court on the points likely to arise in the case, was put into writing and delivered to the counsel. Was this any disadvantage to them? Was it not rather a friendly guide to them, by which they might shape their argument so as best to meet the points of difficulty and serve their client? The court can furnish each side, as well the United States as the prisoner, with copies of this opinion. This would have the effect to regulate and confine the argument on both sides to the proper channel, to the real points of difficulty, and prevent a wild, devious and useless extension of the argument into matters wholly irrelevant. It was surely an advantage to Fries's counsel thus to know the opinion of the court on the points of law in their case, and thus to have an opportunity of meeting and repelling it. If they could convince the court or jury this opinion was erroneous, they would succeed for their client. But if the court had permitted the counsel to take the usual course, and had kept their opinion in close reserve, without any intimation of its direction, until the argument was closed, and had then delivered it to the jury, as unquestionably they might have done, and this opinion had contained some points which had been overlooked by the counsel, surely it would have been more prejudicial to the prisoner than the course that was pursued. The jury would naturally take the law from the court, and if therefore, the judge had intended to have oppressed John Fries, he would have succeeded better by reserving his opinion, concealing it from the counsel, permitting them to flounder on in the dark, and then in his charge to the jury, dictate the law to suit his partial and oppressive purpose. Would any gentleman of the law, about to argue a case before a court, think himself aggrieved, if the judge were previously to inform him of the ideas he entertained of the case, with full liberty to controvert them? It would be esteemed a favor.

(To be continued.)

THE subscriber begs leave to inform his friends and the public at large, that he has obtained a commission for the exercise of the duties of a NOTARY PUBLIC, in and for this city; and that any business committed to him shall meet with prompt dispatch.

SAMUEL M'CRAW.

June 18. 4t.

Broker's Office.

THE subscriber informs the Citizens of Richmond and the public in general, that he has taken the house, next door to Mr. William Austin's, lower end of the Basin, where he transacts the BROKERAGE and COMMISSION BUSINESS in all their various branches. From his general knowledge of business, aided by his attention and solicitude for the interest of those who may please to favor him with their commands, hopes to participate in the confidence of a generous public. He pledges himself that no exertions of his shall be wanting to give the utmost satisfaction.

GEORGE WILY.

June 18. (epti)

WASHINGTON TAVERN,

BY

James Edmondson.

THE subscriber still continues to keep a House of Entertainment for Genteel Company only.—He flatters himself, he is as well provided to give general satisfaction, as any person in his line in the state.—There is a Mail Stage established, which runs from Richmond to his house once a week, and for the accommodation of the Public, he has an excellent Hack, Horses and Driver.

Staunton, June 15th, 1805

FOUND,

A PEW bars of Iron, which the owner may have, on application to the subscriber, proving the property, and paying the expence of this advertisement.

JOHN WIDEWILT.

Richmond, June 17th, 1805.

The Virginia Gazette.

RICHMOND:

WEDNESDAY, JUNE 19, 1805.

RICHMOND PRICES CURRENT.

(CORRECTED WEEKLY.)

Tobacco,	33*s* cash
Wheat,	11s do.
Flour,	57*s* to 60*s* do
Corn,	30*s* do
Hemp, (clean)	48*l* to 50*l* do
Iron,	33*l* to 36*l* do
Whiskey,	3s9 to 4*s* do
Bacon,	9d to 10d do.

If we felt very certain that we should not give any offence to Mr. Duane we would ask him one question. Supposing, during the administration of Mr. Adams, one of the United States vessels had been lost and the crew taken and confined in slavery for *twenty months*, how many columns of the Aurora would have been filled with condemnations of the Administration?

We observe in the *Argus* of last Saturday, the last letter of Tom Paine. Whether respect for Tom's religious or his political character, or whether an expectation of subserving the interests of both, induced the republication, we are at a loss to determine.

There is an unusual degree of non-sense lately in the Aurora, about "his excellency and his super-excellency" Governor Mc Kean. We have been informed that Dunn has a son who writes in the Aurora. If some late scribbling in the Aurora be the son's, from its extreme silliness we think he yields hopeful prospects of becoming in a very short time as big a—— that is, as wise as his father.

The Aurora says that nothing induced Mr. Jefferson to accept of the Presidency a second time, but the *calumnies* that were poured upon him, and which he was determined to refute. We wonder whether Duane thinks that because "clodhoppers" abound in Pennsylvania, they must equally abound in every state: for who but a clodhopper would believe that the more crimes are viewed, the less bright their crimson.

Outfacing truth is what the Aurora calls living down calumny: But has Mr. Jefferson done it? Why the votes for him were 162 to 14. If the votes had been all for him, this circumstance would not have altered the merit or demerit of his character one jot or tittle—it would only have proved the force of delusion. But the amount of electoral votes he received does not prove the proportion of opinions. The only way to ascertain is by a direct vote, where every vote is counted directly for a President. Voting thus by districts, there is a possibility that a President may be elected by a small number more than *one quarter* of the voters: this can be mathematically demonstrated, thus:—There are 176 districts; 89 make a majority: there are we'll say, 2001 votes given in each district: in 89 districts 1001 votes for Mr. Jefferson, and 1000 votes for Mr. Pinckney: in 87 districts *all* the votes are for Mr. Pinckney: but Mr. Jefferson may be chosen with the votes standing thus:——

For Mr. Jefferson	89,089.
For Mr. Pinckney	263,087.

Matthew Lyon has been writing a long letter to Mr. Wm. Duane, containing many remarks well worthy the attention of the curious. Take six from half a dozen, and you have the exact difference of the vulgarity of these characters. There is some humour to compensate the want of delicacy in the following introduction from Mat to Will.

"The animals called *scunks* are extremely plenty and tame in the barrens of Kentucky; I have frequently seen them sitting in the road before me, after making a noise to start them out of the path without success. Not chusing to come within the reach of the odoriferous liquid with which they contaminate the atmosphere, I have reluctantly given them the path and rode round: at length, some time last summer, having met an insolent fellow of that tribe in a defile, impassible ledges on both sides, I saw no other course but to risk the odoriferous charge, and push through. This I accordingly did to the destruction of my adversary, without any other injury than having my horse a little besprinkled, which was principally washed off at the next rivulet.

"I ask your pardon for this digression, sir, but the analogy between my situation then and now is so very striking, I could not get the thing out of my mind until I put it on paper."

In the progress of his letter, in his zeal to injure his old friend, Matthew gives the public some truths meriting attention. He speaks of Dunn's first appearance in America in the following language: "a ragged vagabond, with a down cast guilty look, like Cain, expecting every man's hand raised against him; hemmed with fish, and shunned as a spectre, with no other distinguishing property than an ability to write with severity: *to give falsehood and lies some semblance of truth, and to give truth the appearance of falsehood.* The democrats of this country were taken in by him: by *their countenance* and indulgence he became the conductor of a press: they enabled him to put on a clean shirt, to fill his belly, to look a little sleek, and hold up his head."

"Murder will out" and the same may be said of crimes of less magnitude: what an honest confession is this of Lyon's: it is saying nearly this—We, the democratic members of Congress, were determined to get the reins of government into our hands if possible, and we little cared what means were used for the purpose: we picked up this vagabond Duane, and employed him in preference to any other, because we considered him a greater scoundrel than any other: because "he could give falsehood and lies some semblance of truth, and give truth the appearance of falsehood:" we could all do the same "more or less" but we preferred having some one who had no character to injure to do our work for us.

From what we can gather in Mathew's letter, it seems that after the death of Bache, Duane was very solicitous to have the democrats purchase the Aurora Office, and leave the *management of it to him.* But this request was opposed, and Lyon attributes the failure of it to his advice: "I foresaw," says Lyon, "his charges would be made up something like those made for printing for the House of Representatives:" the price of the establishment too, Lyon says, was *enormous*: "I spoke freely against the purchase: he missed the speculation, and can never forgive me for the disappointment." Hence the quarrel between the two patriots Duane and Lyon. Duane took the first opportunity to insult Lyon, and blackguarded him for his vote in the Yazoo business: Lyon threatened in revenge to have Dunn deprived of the printing business of the House: this he has effected: and thus by the falling out of rogues, the printing will be done at the regular price, and honest men will come by their own.

It is remembered by most of our readers that Frothingham, a printer in New-York, was prosecuted and punished for a libel on General Hamilton. The following is Matthew's account of that affair.

"When it was insinuated that offers were made by General Hamilton to purchase the office for the use of the opposite party, I told a great friend of mine who was most zealous for the purchase, that I considered these insinuations thrown out merely to alarm the republicans, and drive on the bargain. When this story appeared in a public paper, and poor Frothingham was fined and imprisoned for republishing it, without an effort on the part of the wretch I am speaking of, (who has acknowledged himself the author,) to save Frothingham, my friend was convinced I was right."

From this does it not appear that the Office of the Aurora, being in the possession of the executors of the estate of Benjamin Franklin Bache for the benefit of his children, Duane wished that the democratic members of Congress and other democrats would purchase it for him: and to induce them so to do, Duane fabricates one of his sabbath day lies, and declares that the federalists are exerting themselves to purchase it, and that General Hamilton had actually made proposals for its purchase. The printer of the New York Argus republishes the falsehood of Duane, and is published, while Duane bellows against the persecuting spirit of the federalists, and lauds the patriotism of Frothingham, and condoles with him on his sufferings.

There is a pretty fellow for you. Well might John Thompson Mason say, and Mr. Ritchie declare he could almost repeat, that to Duane more than to any other the American people were indebted for their *liberties*.

We come now to another confession of Lyon's that will make every reader and patroniser of the Aurora blush.—"I often told my republican friends in those days, that the LIES of this man would *injure* our cause *if* the conflict *lasted long enough to have them exposed.* A thousand times has he brought a blush on the face of the honest men of our party, when they read his *unfounded* attacks against their opponents." What a confession, what a confession! and to what would it amount in other words?—Thus—We, Matthew Lyon, Thomas Jefferson, Albert Gallatin, and other patriotic members of Congress, and other worthy characters "picked up" this Duane to assist us because he had such a faculty of *lying*. It was with shame and with horror we saw to what lengths of villainy the fellow would go; we blushed in secret, but we rejoiced in public; we countenanced him, we patronised, we paid him: we are equally guilty with him, *qui facit per alium facit per se*, but he bears the censure and we reap the benefits.

Safe as you may think yourselves, secret as you may have considered your baseness, democratic demegogue, wherever you are, from Thomas Jefferson, round the full circle to Duncan Mc Farland, what think you of this open acknowledgment of one of your not least worthy members, that the Aurora was the great engine that brought you into office, that its editor was picked up, patronised for his superior knavery, and that the *goodness* of your cause is founded on his LIES?

Who are you that *now* patronise the Aurora? Is there not, as Lyon says, a blush brought on your faces, when you read that paper; or has the age of blushing gone by?

Doctor Grey, in a note to that line of Hudibras, "Like words congealed in northern air," relates a belief of many that in the north of Russia words freeze in the winter, and in the spring thaw all at once, when the most strange confusion of tongues is heard, and many secrets laid open. Supposing all the confidential conversation of our democratic demagogues should thaw, what a curious confusion of criminal conversation and confession would give a murmuring thunder from Maine to Georgia, and die away in Kentucky; from Joe Bartlett to Sam Morse, and over the mountains to John Breckenridge! These words are thawing, and these demagogues will yet become "men of snow," as Shakspere somewhere has it, "before the sun of truth."

Jack Cade had once many followers: the sixth Harry trembled on his throne. Cade was supposed to be pushed on by him who was afterwards Richard the third.—Duane was pushed on by him who was afterwards President. In a variety of circumstances there is a similarity of character between Mister John Cade and Mister Wm. Duane. The rabble, the ignorant and the great rogues patronised Mister Cade; and who are they that patronise Mister Dunn? Mister Cade did not like the constitution: Mister Duane does not like the constitution. Mister Cade had many powerful friends that did not like the constitution; Mr Randolph and Mr Nicholson love many things better than the constitution. Mr. Cade and his friends did not succeed; we hope Mr Duane and his friends will not be successful. Mr Cade finally fell from authority, and would have starved to death had he not been killed. Whether the crows fattened on him at last we do not remember: and who knows whether or not Duane's "monument will be the maws of kites"? Similar circumstances attend men of similar greatness; their progress is similar, their fate not always unlike. What will be the fate of Dunn is wrapt up in time's womb: and who can say whether the presidency or transportation awaits him?

We do not mention this character so often with a view to hurt his feelings; we should as soon think of making a rock bleed by stabbing it with a feather; we do not expect to mend him, an operation probably impossible, and certainly useless: but, the Aurora has been the mouthpiece of the party, the organ of its will, the great tool; hence the editor has some importance: And, having this importance, his association with *other great men*, and their conduct towards him, become matters of moment. It is for these reasons that we deem it proper to notice the treatment this Mahomet of democracy received when the government was first removed to the city of Washington.

It was here that a public feast was made expressly in honor of Duane! and at this feast who *presided*?—John Thomson Mason, late United States attorney for the district of Columbia, and now acting as attorney general for the United States. This man toasted the great Duane in substance as follows: "Wm. Duane, the man to whom, *under God*, we are more indebted than to any other for the preservation of our liberties." Oh profanity, to take the name of the Lord in vain, as if heaven had any thing to do with democracy. We chuse to keep this circumstance alive, that when, as will shortly be the case, Duane is quite down, we may have an opportunity of twitting the great men, that were once his great friends, of ingratitude to their great benefactor in his fallen state. We have not the antient chronological history of the kings of Scotland, whence Shakepere drew his Macbeth, hence we know not whether Macbeth *appointed to office* those whom he persuaded to murder one whom he dreaded as a rival, or suffered them to droop in infamy or obscurity; but if he did neglect them, he treated them ungratefully. Duane and Callender strove to murder the reputation of Mr. Adams: those whom Callender may truely be said to have *patronised*, suffered him to languish: what was the consequence?—he turned state's evidence, and they, (what must have been cutting indeed to Callender's feelings) *disowned their fellowship* with him. If something be not soon done for Duane, he will turn state's evidence, and they, as many of them already do, will disown their former fellowship: but this record of Mr. Mason's fellowship shall stand—all such records ought to be preserved: they will shortly be wanted, when one democratic great man after another is denying his fellowship with Duane, and striving to wash his hands of the infamy as soon as possible.

This article shall be closed with a few political anecdotes of Mr. Mason.

Previous to the election of Mr. Jefferson, this man took great pains to secure as many votes as possible for him in Maryland, by riding about the country and harranguing the people. In one of these harangues, to give the greater efficacy to his remarks by representing himself disinterested in the issue, he told them to write SCOUNDREL on his forehead if ever he accepted any office under the general government. He was appointed by the President attorney for the district of Columbia: and we are told that the way he illudes the charge of ——(you may call it what you will) is by saying that the office of attorney for that district *did not exist at the time he made the declaration.* Last summer Mr. Mason resigned his office: some say with an expectation of shoving both his feet into the shoes of Judge Chase. Whether with such view or not we cannot tell. Some said he expected to be made attorney general; whether he had such expectations or not we cannot tell. Some said he meant to retire from the district and prepare himself for a member of Congress: whether he had such intention or not, not knowing, we cannot say. He now acts as attorney general, and we suppose has the salary of attorney general.

John Thompson Mason was one of the witnesses against judge Chase. Some jocular conversation had passed at Annapolis about Callender's "Prospect before Us," a short time before Callender's trial. Mr. Mason prefaced his testimony with observing how disagreeable and delicate a thing it was for him to give testimony in this case—(yes, we doubt not, as disagreeable as nuts to a squirrel)—it was so long ago—it was merely jocular—he never expected to be called upon—he had *never* related the conversation—(this we don't understand)—yet after all, Mr. Mason related what we believe he hoped would be the pith and marrow of success in removing the judge.

Mr. Mason and Mr. John Breckenridge are two men that are very affable, easy, polite and pleasant, &c. but we prefer those who hide not their deep intents thus, to men who can "smile and smile"——

The respectability and usefulness of the Enquirer is fast increasing. In the last number, there were not three lines of the editor's own composition.

We observed some days ago that democracy appeared to be on the decline in Baltimore, as the democrats there objected to the landing of a cargo of convicts from Holland. Some one in the Enquirer remarks, that the reason of the objection of the democrats to the landing of the convicts was, the fear that they would join the federalists and overpower them in their elections. This was a federalist turn of humor for a democratic paper, the value of which is greatly enhanced by its *novelty*. The writer however ought not to have branched out so much, unless an equal degree of humor had run thro' the ramifications. Mr. Ritchie introduces the communication in a manner that has excited at once our diversion and our pity.

"No apology seems necessary for inserting the following communication. It is the determination of the editor of this paper, not to enter, himself, into a controversy with the editor of the Virginia Gazette; but this determination does not and ought not to extend to the criticisms of others. Consulting his individual feelings, he would decline such a ridiculous controversy: but acting likewise as a vehicle for the opinions of others, he has no right to reject any communication, which is appropriate in its statement or decorous in its style. Tho' *he* may think the lucubrations of the Virginia Gazette unworthy of his notice, *his* opinion may not be the opinion of all."

We have heard of the frog attempting to swell to the size of the ox; but never before heard of one's wishing to swell to such an enormous size as to consider the ox "unworthy notice."

We agree with the editor of the Enquirer that a controversy with us would be "ridiculous"—*on one side, at least*; and we admire his *prudence*.

What does Brutus tell Cassius?

From this time forth
I'll use you for my mirth, yea for my laughter,
When you are waspish.

The last Freeman's Journal contains an "Address of the Society of constitutional Republicans to the Republicans of Pennsylvania." It is very long, filling nearly three fourths of the paper. It is written with great energy, elegance and argument. We presume it is from the pen of Mr. Dallas; a man who formerly advocated error and falsehood with as much ability as he now does the truth.

There is one assertion in this address which we fully believe. The writer says, the malcontents "are endeavoring to subvert the *federal constitution*, at the hazard of civil war and a dissolution of the union." That Nicholson, Randolph, Duane and Leib arranged their plans together, we do not know; but that their motives and hopes appear to be the same as they regard the federal constitution and the constitution of Pennsylvania, we do know. We repeat that the next session of congress will determine the question, whether or not the federal constitution shall stand.

At the next session the democratic members will be sounded from high to low, and if Nicholson and Randolph find they can secure the necessary majority, they will push the attempt. If on examination they see no hopes of success, we shall hear no more of their resolutions.

No one of our readers will peruse the following account from the Charleston Courier without emotion.—Democracy is all tergiversation. Men who have their own ends to answer in preference to the public welfare, will reason one way to day and another to-morrow. In his Notes on Virginia, Mr. Jefferson urges the necessity of a navy, and the ease with which one may be obtained. He even speaks of the little difficulty there would be in building a frigate every year only in the state of Virginia. Congress did nothing towards acquiring a navy till necessity compelled the commencement of one. General Washington had not made every patriot a foreign minister, or some other great officer: many patriots disliked General Washington: something must be done to change the face of the government, that *more worthy* characters may administer it: it was of no consequence *what* arguments were used: among other nefarious plans, one was, to accuse the administration of corrupt, monarchical, aggrandising views, in the establishment of a navy: from James Madison, who drew up the long artful list of corruptions in the Washington and Adams administration, down to Duane, and from him, if possible, lower, a hue and cry was set on against a navy. At the close of the federal congress all was saved of it they could save. The armed vessels were sold. Since which more vessels than we possessed were wanted: a few were built, and some gun boats. Some of the democrats last summer when the British vessels lay off New-York, began to cry for more naval defence. Congress last session in its great wisdom voted to build some more *tubs*, that are to break wind at both ends, and forever silence the insolence of English 74's or 6's. They can be manned by the militia, says the president in his message: they are the best vessels in the world for defence in our harbors and on our sea board, says Jo. Nicholson in congress—We have been laughed at for building them; we will show the federalists that we are not to be laughed out of our nonsense, and we'll build some more on purpose to spite them. Oh the heights and depths of democratic wisdom!

As long as we are a commercial nation, and are our own carriers, we must have a navy. We need not a *great one*; but a competent one is a *saving* instead of an expence. It is a saving to the revenue as well as individuals.

What will Mr. Jefferson do in this case? Quarrel with the "enlightened" government of France? No, he would rather send the captain of the privateer half a dozen bottles of Madeira, and a piece of the Mammoth cheese. If these insults and injuries continue, in ten fathom water, under our own noses, and within reach of the thunder of Gun-Boat, No. One, his philosophical meekness of temper may be so far agitated, that he may consult with some of the heads of departments, and enquire whether any excuse can be invented for departing from their former dogmas relative to the navy: and if any can be found, he will recommend the building of something else besides gun-boats, in his next message. But as long as we have an administration whose pusillanimity is the ridicule and the profit of foreign nations, so long may we expect the "domiciliary visits" of foreign tax gatherers.

From the CHARLESTON COURIER of June 7.

CAPTURE OF THE TWO FRIENDS.

The regular trading American Ship *Two Friends*, Captain M'Neil from London for this port, with a full cargo of Dry Goods, supposed to be worth from *Eighty* to *One Hundred Thousand Pounds Sterling*, was captured, on Tuesday last, in ten fathoms water, by the French privateer schooner, *L'Emerance*, Captain Moisan, from Guadaloupe, now cruising off our bar.

The plea urged by the privateersmen for capturing the ship, was, that she had not a certificate from the American Consul resident in London, declaring her to be American property.

The passengers and crew were permitted to take out their baggage, &c. and were treated civilly while on board the privateer. Captain M'Neil, the

cook, and two boys remained on board the ship—which, after putting 24 Frenchmen on board, they ordered for Guadaloupe or Cuba The paſſengers arrived in town yeſterday morning in a pilot boat.

The *Two Friends* left Graveſend on the 21ſt April, and was 42 days out when captured. She had two thouſand letters in her bags, all of which were detained by the Frenchmen.

The privateer mounts four 12-pound carronades, long braſs 12 pounder, and two double fortified 4 pounders; and had on board 97 men. They ſtated, that one of the Guineamen which they had taken, bound into this port, had 450 ſlaves.

The capture of the *Two Friends* has produced a ſenſation in this city of a ſtronger kind than any that has been felt for ſeveral years. Thoſe who, as Americans, alive to the honor and character of their country, have long been irritated at the nakedneſs and defenceleſs ſtate of their ports, are now incenſed to an extreme degree at the neglect of the commercial intereſts of the country. The cargo of the *Two Friends* was compoſed of a conſiderable part of the Spring and Summer ſupply of Goods for this State—none other being expected till the fall. The conſequences to the Merchants of Charleſton, on account, not only of the loſs actually ſuſtained, but of the diſappointment of the Planters, and other cuſtomers, are injurious in the extreme.

What muſt the nations of the world think of a country whoſe commerce extends all over the globe, inſulted in all its ports by paltry privateers, who ſeize and confiſcate its property, even under the very cover of thoſe places where guns ought to be?—How can the perſons who are entruſted with the guardianſhip of the country, its honor, and its intereſts, account for the defenceleſs nakedneſs of the land? Where ſhelter themſelves but under the wing of a majority?

The public papers often dwell on the boarding of veſſels by the Engliſh—More cenſure attaches to the government, that does not erect a force of ſufficient ſize to deter the belligerent powers from ſuch aggreſſions. It is ſaid by ſome that America could not in many years build a navy able to cope with that of England—True; but it might build enough to make the country reſpected, in its harbours, to repreſs thoſe paltry aggreſſions, which are diſgraceful to us in proportion to their ſmallneſs. In every deciſion reſpecting ſuch outrages a calculation takes place, on which if the riſk be much greater than the advantage, the enterprize will not be attempted. If any of thoſe hoſtile Robbers were certain to be met by one or two ſtout American frigates, as they ought to be met, we ſhould only hear of their running in and out for ſhelter and proviſion.—But they can never be deterred by veſſels of no more force than a gun boat. In the name of common ſenſe, Americans, look into theſe things, and aſk yourſelves whether they muſt be overlooked and forgiven, becauſe, in condemning them, you muſt neceſſarily condemn, what a majority may conſider a favorite adminiſtration.

June 8.

The privateer ſchooner *L'Emerance*, which captured the *Two Friends*, was joined on Thurſday by two others from Guadaloupe, a brig and a ſchooner, mounting 14 guns each. They captured the brig *Lydia*, capt Patterſon, from Cape Francois for this port, about three weeks ſince, and ordered her for Guadaloupe—the mate and crew are now priſoners on board.

There is an old proverb, which ſignifies that ſimilar things will *conglomerate*—We have a remarkable inſtance of ſuch a coincidence in the title page of the laſt *London* edition of Tom Paine's Rights of Man. It is "Publiſhed by CITIZEN WILLIAM ISAAC EATON, Printer and Bookſeller *to* the SUPREME MAJESTY of the People; at the Cock and *Swine*, No. 44, *Newgate ſtreet*. [*Port Folio*]

Highly Important!

We can inform our readers, from the beſt authority, that the marquis de Caſa Yrujo has lately received direct information from the government of Porto-Rico, of the arrival at that port of a ſmall armed veſſel from Cadiz, which ſailed in company with a combined French and Spaniſh fleet; this veſſel left the fleet in about 18 degrees of latitude, and was compoſed of twelve French line of battle ſhips and three frigates, and of ſix Spaniſh line of battle ſhips and a large frigate. This fleet had on board ten thouſand regular troops, although there was not a ſingle tranſport with them. The ſquadron is commanded by the Spaniſh admiral Gravina, lately ambaſſador from Spain, near the court of the emperor of the French. *Freeman's Journal.*

Dr. WATERHOUSE's Lecture on ſmoking Cigars, &c &c.

The following is an extract from the *Medical Repoſitory*, printed at *New-York*—"Obſerving the frequent and intemperate uſe of tobacco and ardent ſpirits among the youth educated at this long eſtabliſhed and much frequented Inſtitution in *Maſſachuſetts*, Profeſſor WATERHOUSE has ſtepped forth to warn them of the pernicious conſequences of making free with that narcotic plant and thoſe inebriating products of the ſtill and vatt.

"Profeſſor W. has given an intereſting view of the conſequences of chewing, ſnuffing and ſmoking tobacco, and of drinking wine, brandy, and other intoxicating liquids. The parents and guardians of young men ought to be much obliged to him for having interpoſed ſo ſeaſonably to check the progreſs of thoſe vices, and to ſave the health, lives and morals of the riſing generation. And it ſeems to us that the *Truſtees* of the Univerſity owe him the acknowledgement of having zealouſly labored to diſcourage the uſe of two very powerful ſtimulant ſubſtances, tobacco and alcohol; which though neither of them is neceſſary to life, but the reliſh for both is wholly artificial and acquired, do, nevertheleſs, govern their votaries with almoſt abſolute ſway, and frequently by eſtabliſhing in them inveteraae habits of ſubjection, entail upon the eventually, wretchedneſs and ruin. *It would pleaſe us to hear that this lecture was read in every college in the nation, and that each ſtudent at every one of them had a copy in his pocket.* For, in oppoſition to all that the academic diſciples of BACHUS and NICOTUS (the God of Tobacco, not known to the Romans) have urged, we are entirely of opinion, that they ought not to puff the philoſophic pipe, nor circulate the exhilerating glaſs, until they ſhall have taken their Doctor's or at leaſt their Maſter's degree."

A gentleman from Liverpool, who came paſſenger in the John Morgan, has favored us with a copy of the following Bill, which he informs paſſed the Imperial Parliament on the 27th April:—*Mer. Adv.*

A BILL,

Intitled an Act to permit the importation of Goods and Commodities from Countries in America belonging to any Foreign European Sovereign or State in neutral ſhips, during the preſent War and until 6 months after the Ratification of a definitive Treaty of Peace.

Whereas by the Laws now in France no Goods or commodities whatſoever of the Growth, Production, or Manufacture in America can (except in certain caſes) be imported into this Kingdom but in Britiſh-built ſhips, owned and navigated according to law: And whereas it is expedient, under preſent circumſtances, to permit certain Goods and Commodities to be imported under certain Reſtrictions, in Foreign ſhips belonging to Subjects of States in Amity with His Majeſty: Be it enacted by the Kings moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, it ſhall and may be lawful for His Majeſty, by and with the advice of His Privy Council, to grant licence to any Britiſh ſubject or ſubjects to import into this kingdom for his or their own account, or for account of a ſubject or ſubjects in amity with His Majeſty, from any country in America belonging to any foreign European ſovereign or ſtate, any Goods or Commodities of the growth or produce, whether manufactured or otherwiſe, of any ſuch country, not prohibited to be uſed or conſumed in this kingdom, in any ſhip or veſſel belonging to any ſtate in amity with His Majeſty, and under ſuch rules, regulations, Reſtrictions, and Securities, as His Majeſty, with the advice of His Privy Counſel, ſhall approve, and ſubject to the ſame duties as ſuch Goods and Commodities would be ſubject to if imported in any Britiſh-built ſhip or veſſel and ſecurities, penalties, and forfeitures reſpecting the payment of the ſame; any law, cuſtom, or uſage, to the contrary in any wiſe notwithſtanding: Provided always, that all ſugar and coffee, imported in purſuance of this Act, ſhall be warehouſed immediately on importation and ſhall not be taken out of the warehouſe to be uſed or conſumed in this kingdom, but only for exportation to foreign parts: Provided always, that no ſuch licence ſhall be granted to any perſon or perſons who ſhall not have executed or given ſuch ſecurity as ſhall be required for exportation from this kingdom according to law, to the poſſeſſions in America belonging to the ſame European ſovereign or ſtate, any Goods or commodities bearing ſuch proportion in value to the Goods ſo to be imported as his Majeſty, by and with the advice aforeſaid, ſhall think reaſonable ſhall and direct: Provided always, that if any queſtion ſhall ariſe in any caſe whether any thing which ſhall be done was authoriſed to be done by virtue of any ſuch licence the proof that ſuch thing was done under the circumſtances and according to the terms and condition in ſuch licence to be expreſſed, ſhall lie on the perſon or perſons, reſpectively claiming the Benefit of licence.

And be it enacted, That this Act ſhall continue in force during the preſent War, and until ſix Months after the ratification of a definitive treaty of Peace.

Lateſt Foreign Intelligence.

NEW-YORK, June 10.

The ſhip John Morgan, capt Howard, arrived at this port on Saturday morning in 35 days from Liverpool;—and has enabled us to preſent the readers of the Mercantile Adverſiſer with European Intelligence to the firſt of May, inclusive, from London papers of that date, with which captain Howard has obligingly favored us. The following are amongſt the principal articles they contain. Our Lloyd's liſts are to the 30th of April, from which ſome extracts will be found in the marine department.

LONDON, April 26.

An article from Augsburg, dated April 7, ſtates, that letters had been received there from Vienna, announcing the capture of Belgrade by the inſurgents of Servia.

Yeſterday, in the houſe of commons, Mr. Pitt gave notice of his intention on Monday, to move for the appointment of a ſecret committee to enquire into the expenditure of the army. Alſo, for leave to bring in a bill to continue the powers of the commiſſioners of naval inquiry. Mr. Whitebread likewiſe announced his intention of making a motion on his majeſty's anſwer, on receiving the reſolutions of the 8th of April. It will be of a ſimilar tendency with that which he withdrew on the 10th.

A debate, not very animated or entertaining, but certainly very important, took place on the further proceedings that are to be adopted in regard to Lord Melville and Mr. Trotter. The oppoſition wiſhed that the whole of the tenth report ſhould be referred to a ſelect committee, giving up for the preſent the idea of legal proceedings for an account as inadequate in the end; but reſerving to themſelves the right to remove them, ſhould the reſult of a committee juſtify that courſe. The miniſterial ſide were deſirous to take from the committee, in the firſt inſtance, the cognizance of Lord Melville and Mr. Trotter, as debtors to the public, preferring the proceeding in equity, at the inſtance of the attorney general, againſt them; at the ſame time they contended, that if neceſſary, the powers of the committee might be enlarged. On the motion of Mr. Whitebread for a large committee, a diviſion took place, in which the numbers were,

For the amendment,	229
For Mr. Whitebread's motion,	151
Majority	78

April 27.

We have received Dutch papers to a late date. From the ſtatements they give, it would appear, that great activity prevails in the ports of Holland, and the expedition againſt this country is again ſpoken of as an event that will ſhortly take place. Three ſhips of the line have been equipped and put in commiſſion. A new 74 gun ſhip named the Regulus, was launched at L'Orient on the 15th inſt.

The king of Spain has formally recognized Bonaparte as king of Italy.

April 29.

From the London Gazette, April 27.

"The king has pleaſed to cauſe it to be ſignified by the right hon. Lord Mulgrave, his majeſty's principal ſecretary of ſtate for foreign affairs, to the miniſters of neutral powers reſiding at his court, that the neceſſary meaſures have been taken by his majeſty's command for the blockade of the ports of Cadiz and St. Lucar; and that, from this time, all the meaſures authoriſed by the laws of nations, and the reſpective treaties between his majeſty and the different neutral powers, will be adopted and executed with reſpect to all veſſels which may attempt to violate the ſaid blockade."

The ſailing of the Toulon fleet, which took place on the 30th ult. was allowed to appear in the Paris papers on the 19th. A letter on this ſubject from Paris ſays—"The Toulon fleet conſiſts of eleven ſail of the line, four of forty guns, ſix frigates, and two corvettes. They have three thouſand land troops on board. Their firſt object is ſaid to be to attack the ſmall Engliſh ſquadron under Sir John Orde, off Cadiz, to form a junction with the fleet at Cadiz, and then to ſail with their united force againſt Nelſon, whoſe fleet has for a good while paſt quitted the neighborhood of Toulon. In order to engage the attention of the Engliſh in the north and in the channel, the Breſt fleet came out of port, and the Boulogne flotilla came into the road. We expect to hear ſhortly too of the united ſquadrons at Ferrol putting to ſea."

Government has at length received official accounts of the above fleet having paſſed the Streights of Gibraltar the 9th inſt. The Donegal, of 84 guns, was ahead, and the ſloop Sophia aſtern, watching the enemy. The Regard frigate went to Ferrol, the Sir John Colpoys ſo to the Breſt fleet, and a purchaſed faſt ſailing brig dispatched immediately from Gibraltar in queſt of Lord Nelſon. The general opinion at Gibraltar was that the French fleet was bound to the Weſt Indies; but there are reaſons to ſuppoſe it rather bound to the Eaſt Indies.

In conſequence of the above intelligence, orders were laſt night ſent off to Ireland, to ſtop for the preſent the ſailing of the Cork [illegible]

Diſpatches ha[illegible] ſent off to be forwarded in a faſt ſailing veſſ[illegible]ann Craig.

The following [illegible] were currently in circulation yeſterday, viz.

That on Saturday laſt Viſcount Sidmouth reſigned the preſidency of the council; at the ſame time, the earl of Buckinghamſhire reſigned alſo the chancellorſhip of the duchy of Lancaſter; and Mr. Vanſittart the chief ſecretaryſhip of the ſtate of Ireland, on the duties of which office he had entered only the preceding day. Sir Evan Nepean has alſo reſigned his ſeat at the board of admiralty. The cauſes which led to theſe expected reſignations are, of courſe, variouſly related; but the following ſtatement, we have reaſon to believe, will be found the principal, and tolerably authentic:

That Lord Sidmouth, after the recent reſolutions in the houſe of commons, not only declined giving any farther ſupport to the meaſures in favor of Lord Melville, but is ſaid to have preſſed in the cabinet the neceſſity of the erauſure of Lord Melville's from the liſt of his majeſty's privy counſellors. He found himſelf, however, in a minority of one upon this queſtion. It was afterwards propoſed to proſecute a further enquiry into the conduct of a prior ex-naval miniſter on the ground of the eleventh report, which Lord S. oppoſed; but on this point alſo he was ultimately in a ſimilar minority. The abſence of his lordſhip's friends from the houſe of commons on Friday night's debate is ſuppoſed to have been the reſult of theſe cabinet ſchiſms, as Mr. Pitt was informed by letter that night, that his lordſhip could no longer form a part of his adminiſtration. A ſimilar intimation was ſent off to his majeſty at Windſor.

That the earl of Buckinghamſhire and Mr. Vanſittart ſtuck in their reſignations at the ſame time. No reaſon has been aſſigned for Sir Evan Nepean quitting his ſeat at the admiralty, nor do we think it connected with the general rupture above ſtated—but, ariſe from whatever cauſe it may, the public will have to regret the loſs of his able and efficient ſervices.

That there has been ſome differences in the cabinet, we have no doubt; but, juſt after this paper was at preſs, we learnt that they had been adjuſted.

Four Spaniſh frigates, with treaſure from America, are ſtated to have recently fallen into the hands of the ſquadron blockading Cadiz.

Price of ſtocks this day at one o'clock—Conſols, for money, 58 1-8 1-4—for May 58 3-8 1-2—Omnium 3¼

May 1.

We yeſterday ſtated in a part of our impreſſion, that accounts had been received in town of the Toulon fleet having got into Cadiz, and effected a junction with the Spaniſh diviſion in that port. This intelligence, we now underſtand, was brought by the Frigate of 36 guns, Lord Mark Ker, which arrived from Cadiz on Sunday evening at Plymouth with diſpatches for government. It is further ſtated that Sir John Orde, with five ſail of the line, fell in with the above fleet, and had an engagement with them, but in conſequence of his inferiority was obliged to ſheer off. We do not vouch for the truth of this ſtatement, but it is probable, as the fleet paſſed the ſtreights of Gibraltar on the 19th inſt.

It is likewiſe ſaid that Lord Nelſon, with his whole fleet, was at anchor in Cadiz roads, where he was blockading the Toulon ſquadron; ſimilar accounts have been brought to Plymouth by the Sirius, of 36 guns.

The following article, relative to the Toulon ſquadron, was yeſterday poſted at Lloyd's.

A letter has been received at the admiralty from Lord Gardner, incloſing a copy of one from vice admiral Sir John Orde to his majeſty minister at Liſbon. It appears, that on the afternoon of the 9th inſt the Toulon ſquadron ſtood cloſe to the harbor of Cadiz, and had nearly brought the vice admiral to action.

The king has been pleaſed to appoint William Bligh, eſq to be captain general and governor in chief in and over the ſettlement of New South Wales.

A deputation from the town of Liverpool has prevailed upon the lords of the treaſury to put that port upon the ſame footing as the port of London, in regard to the warehouſing ſyſtem, without requiring new docks or warehouſes to be conſtructed for that purpoſe. Thirty-four warehouſes, which have been tendered, are to be immediately licenſed.

We are at length enabled to lay before our readers authentic information reſpecting the French fleet which eſcaped from Toulon. It conſiſted, as before ſtated, of 11 ſail of the line, 7 frigates and corvettes; they paſſed the Streights of Gibraltar the 9th ult. and immediately bore up for Cadiz, before which Sir John Orde was cruizing—When Sir John firſt received intelligence of their approach, his ſquadron was buſy in overhauling their rigging, and had their topmaſts ſtruck, and their yards down to have it all new ſet; but ſuch was the diſpatch uſed to put the ſquadron in a ſtate to meet the enemy, that in four hours it was in perfect order.—The French Admiral did not, however, think it adviſable to attack Sir John, notwithſtanding his great ſuperiority of force, for the Britiſh ſquadron only conſiſted of 6 ſail of the line and 2 frigates, and had alſo the diſadvantage of being incumbered with tranſports. The French fleet ſtood directly into Cadiz, where it remained when the laſt diſpatches were ſent off. It will be ſeen by our Plymouth letter, that the Sirius frigate, Captain Prowſe, which had arrived at that port from Sir John Orde, brought intelligence of Lord Nelſon having paſſed the Streights in purſuit of the French fleet, and of his having arrived at Cadiz. Although we have no authority to confirm this report, yet we think it very probable? there can be but little doubt but Lord Nelſon was very ſoon informed of the ſailing of the French fleet, and we have very ſtrong reaſon to believe that they had not above two or three days ſtart of him. If it be true that Lord Nelſon has arrived before Cadiz, and that the blockade of that port has been renewed by the united Britiſh ſquadron, the enemy will be placed in a diſtreſſing ſituation; for the ſcarcity of proviſions, particularly bread has been very great at Cadiz, and the arrival of ſo large a fleet, with a numerous body of troops on board, will of courſe greatly increaſe the calamity.

At a meeting yeſterday of the Common Council of the city of London, it was reſolved, by a large majority to preſent a petition to parliament againſt the petition preſented on the behalf of the Roman Catholics in Ireland. The example thus ſet by the city of London, will, we have no doubt be followed by the reſt of the kingdom. The diſcuſſion of the Catholic queſtion, under the preſent circumſtances cannot tend to any good, but may be productive of the moſt ſerious conſequences.

On the 26th ult. the corporation of Dublin, on the motion of Mr. Gyffard, entered into the following reſolution, with only three diſſentient voices.

"Reſolved, That we have ſeen with aſtoniſhment and ſorrow, a copy of a petition lately preſented to Parliament, in the name of the Roman Catholics of Ireland, and containing demands of a political nature, which, if yielded, muſt be ruinous to our happy conſtitution in Church and State."

First Lord of the Admiralty.

In the Houſe of Commons, the 29th ult. Mr. Creery roſe for the purpoſe of putting a queſtion to his majeſty's miniſters. Three weeks ſhall have elapſed to-morrow, ſince the reſignation of Lord Melville, and yet no ſucceſſor had been appointed. He wiſhed to know who was to ſucceed to that important office, as under all the circumſtances of the country, and conſidering the forward ſtate of the enemy's fleet, it was extremely deſirable that a perſon ſhould be appointed, adequate to the exigency of that high office.

Mr. Pitt ſaid, he had no difficulty in anſwering the hon. gentleman's queſtion: the appointment had taken place, and would be mentioned in the Gazette of to-morrow; and the ſucceſſor to that noble lord was one who fully anſwered the deſcription of the hon. gentleman, and would be ſatisfactory to the wiſhes of the nation. [*After having ſat down the right honorable gentleman mentioned Sir Charles Middleton.*]

The commons have directed a civil proſecution to be commenced againſt againſt Lord Melville and Mr. Trotter, for the profits of public monies entruſted to them.

FALMOUTH, April 22

Arrived laſt evening the American trig Riſing Sun, captain Gould, from the Iſle of France, with cotton, &c. for orders: ſhe has been 120 days from thence, and ſailed from the Iſle of France in company with the French ſhip Charles Monnice, with coffee &c. for Bordeaux. The Marengo, of 84 guns, had got on ſhore in going to the Iſle of France, and received conſiderable damage. Linois had carried in there the Princeſs Charlotte, and 18 country ſhips (prizes) Mr. Manſhell an officer of this veſſel, came paſſenger in the Riſing Sun. The captain and crew are on their parole at the Iſle of France, & expect to be ſent home by the firſt veſſel.

PARIS, April 21.

On the 16th, at ſeven o'clock in the morning, their Imperial majeſties departed from Lyons, amidſt an immenſe crowd who rent the air with the cry of "Long live the Emperor! Long live the Empreſs!" On the ſame evening they arrived at Chamberry, where they had been ſo long expected by the inhabitants. On the 16th the Pope arrived at Lyons.

PHILADELPHIA, June 11.

Letters have been received in town from Barbadoes, dated as late as May 15, by which we learn that all was then tranquil in that Iſland. It is ſaid that the lateſt Engliſh papers received at New-York, ſtate, that the French and Spaniſh fleets remained blockaded by Nelſon, in the port of Cadiz. Both of theſe accounts taken together afford pretty ſatisfactory proof, that the report of thoſe fleets being in the neighbourhood of the Weſt-Indies, were mere fabrications. Further confirmation of this opinion may be found under the Bolton head.

A promiſing family.—At court of Oyer and Terminer, and general gaol delivery, held laſt week at Newark, (N. J.) Thompſon Penn was convicted on an indictment for receiving property, knowing it to have been ſtolen, and ſentenced to three years confinement in the State Priſon at hard labor.—Elizabeth Penn, wife of the above Thomas, was convicted of an aſſault and battery on a conſtable, in the execution of his office, and ſentenced to ſix months impriſonment in the county gaol.—Robert and John Penn, ſons of Thomas and Elizabeth, were convicted of ſtealing flour; the former was ſentenced to ſix weeks imriſonment in the county gaol—the latter two weeks in dito. Their youth, and being the influence of their parents, operated ſo much with the judges, that they paſſed the above lenient ſentence on them.

(*N. Y. pap.*)

MARIETTA, (Ohio) May 9.

The following was communicated to me by a gentleman whoſe veracity may be depended on, and who was knowing to the tranſaction herein mentioned.

"A gentleman of the name of Bennett, and a companion, a ſhort time ſince travelled from Zaneſville (in Ohio) to Wheeling (in Virginia) on Zane's road ſo called. They had with them a little horſe, on which they carried about one thouſand dollars in ſilver. It appears that two men had followed them for ſome time, with an intent to rob them, but never got an opportunity of putting their deſigns in execution, until they got within ten miles of Newelſtown. It ſeems further that the travellers were warned of the threatened danger The robbers by accident got paſt the travellers; and came to a tavern enquiring very particularly after ſome perſons anſwering in deſcription to the travellers, informed that the landlord ſtrongly ſuſpected them. The robbers had not been gone two hours from the tavern before the travellers came along. The landlord expreſſed his fears and ſuſpicions, adviſed Bennett and his companion to arm themſelves, and ſuggeſted the propriety of ſome perſon accompanying them to Newelſtown; but they did not apprehend any danger. They provided themſelves with hickory clubs, and proceeded on their journey; they had not proceeded far, before they were attacked by two men, with blackened faces, and ordered to ſurrender their money. One of theſe men had a gun, which he leveiled at the breaſt of Bennett, who was leading the horſe; the other had a tomahawk—ſome words paſſed, but Bennet, diſcovering that the villain was reſolute and determined, and that his life was in danger reached out the bridle to the robber, who held the gun, hoping that he would take hold of it, by which action, the direction of the gun would have been altered; in which caſe he intended to ſpring in upon him, and wreſt the gun from his hands; but the robber was on his guard—he commanded Bennett to lead the horſe into a certain deep hollow, which lay off the road, threatening to ſhoot him if he did not; Bennett conjecturing that the robber meant to murder him when he got him there, threw the bridle from him with great violence, ſaying, "I'll be d——d if I go there," and took to his heels.

The horſe, being accuſtomed to follow his maſter through the woods, took after him full ſpeed; the robber with the gun took after the horſe; and the robber with the tomahawk, who had taken the other traveller, and was keeping him in cuſtody, ſeeing the horſe and money flying off, deſerted his charge and took after the reſt. Bennett and the horſe won the race; they came to a houſe in about a mile, at the ſight of which the robbers retreated; and what was remarkable, the ſaddle bags which contained the money, and which hung looſe over the ſaddle, did not fall off, although the horſe courſed it over very bad rock ground, thickly covered with trees, logs, bruſh, &c. and ran rapidly, conſidering the weight he carried.

The next day one of the robbers was apprehended and committed to jail, where, in conſequence of a ſentence of court, he is to have the pleaſure of tarrying two years free of expence."

Manſfield—or Point Reſerve.

This beautiful ſite, with the improvements thereon, is

FOR SALE.

WITHIN the incloſure I eſtimate five acres, and without, including a private road, about five acres. Its ſituation for a private family is ſurpaſſed by none within the vicinity of the city. It lies between the Capitol and Mount Comfort, the ſeat of Edmund Randolph, Eſq. Immediate poſſeſſion may be had. THOMAS WILSON.

Richmond, June 6, 1803. tf

THE SUBSCRIBER,

DESIROUS *to close his business in this place, as soon as possible, is induced to offer for sale, the following* VALUABLE PROPERTY, *viz.*—

A convenient two story Dwelling House, 24 feet square, having one room and a passage on the lower floor, two rooms on the second floor, and two good rooms in the garret; a cellar with plank floor, and divided into three apartments, one used for cooking; the yard inclosed with a brick wall seven feet high—the whole in good repair.—This tenement is situated near the Bell Tavern, on the cross street leading to the Rock Landing, and is insured in the Mutual Insurance Company against Fire in the state of Virginia, and the premiums paid.

Eleven unimproved half acre Lots, on Shockoe Hill.

600 *acres Military Land in Kenhawa county, on the waters of Old Town creek, a branch of Ohio river, being part of a grant made to George Muse, Adam Stevens, Andrew Lewis, and others, in the year* 1772.

25 *tracts of Land in Montgomery county, containing* 32,172½ *acres, the whole patented in my name, viz.*

4,000 *acres surveyed 3d April,* 1786, *in Montgomery county, on Cole river.*

3080 *acres surveyed 24th July,* 1786, *in same county, on Sixteen Mile creek, adjoining the late gen. Washington's survey on Kenhawa river.*

3002½ *acres surveyed 23d July,* 1786, *in same county, on the Loop waters, waters of New river.*

1000 *acres surveyed 13th May,* 1786, *in same county, on the Ohio river*

3210 *acres surveyed 5th April,* 1786, *in same county, south of a creek running into Cole river.*

2138 *acres surveyed 21st February,* 1787, *in same county, on Cole river.*

320 *acres, surveyed 3d February,* 1787, *in same county, on the waters of Cooper's Creek and Little Blue Stone.*

1300 *acres, surveyed 16th February,* 1787, *in same county, on the head waters of the South Fork of Cole river, that heads against Guyandott.*

93 *acres, surveyed 10th February,* 1787, *in same county, on the head waters of Glade creek.*

78 *acres, surveyed 8th February,* 1787, *in same county, on a branch emptying into Glade creek, on the south side of the same, and about one mile above the ford of said creek.*

500 *acres, surveyed 10th February,* 1787, *in same county, on the North fork of Mud river, that heads against the Guyandott.*

1500 *acres, surveyed 12th May,* 1786, *in same county, on the Ohio river.*

2000 *acres, surveyed 8th May,* 1786, *in same county, on the Great Kenhawa.*

1000 *acres, surveyed 16th May,* 1786, *in same county, and on same river.*

263 *acres, surveyed 8th February,* 1787, *in same county, on the head of Glade creek.*

214 *acres, surveyed 7th Feb* 1787, *in same county, on the waters of Glade creek, on the south side thereof.*

135 *acres, surveyed 6th February,* 1787, *in same county, on the west end of Joe's Ridge, and on the waters of Glade creek*

154 *acres, surveyed 6th February,* 1787, *in same county, on Joe's Ridge.*

228 *acres, surveyed 6th February,* 1787, *in same county, on Joe's Ridge, and the waters of Glade and Cooper's creek*

414 *acres, surveyed 22d February,* 1787, *in same county, on the second fork of Cole river, on the road crossing from Piney river to Guyandott.*

2000 *acres, surveyed 26th February,* 1787, *in same county, under the big pipe Stem Knob, and running down both sides of the creek.*

416 *acres surveyed 4th February,* 1787, *in same county, on the waters of Cooper's creek and Joe's Ridge.*

380 *acres surveyed 3d February,* 1787, *in same county, on the head waters of Cooper's creeek.*

3,338 *acres by survey 20th February,* 1787, *in same county, on the south fork of Cole river.*

1,345 *acres by survey 2d February* 1787, *in same county, on the head waters of little Blue Stone, about half a mile north from the white oak lick.*

Three tracts of land in Monongalia county, patented in my name, viz:

350 *acres by survey 1st June,* 1796, *in Monongalia county, adjoining Matthew Richey's land, and the Randolph county line, on the waters of Cheat river.*

400 *acres surveyed 20th October,* 1797, *in same county, adjoining lands of Abner Harper, above the mouth of White-day creek.*

400 *acres surveyed 15th November,* 1797, *in same county, adjoining Peter Drago, on Finches run, to include an improvement made in the year* 1773.

1000 *acres in same county, on the west of cheat-river, above the lands of Thomas Butler.*

800 *acres in same county, on Buffaloe creek, on a pre-emption right of David Gray.*

250 *acres in Greenbrier county, on Little deer creek, adjoining lands of Joseph McClung.*

891 *acres in Montgomery county, surveyed 1st August* 1787, *on the waters of Pinney river and Paint creek, waters of Kenhawa river.*

435 *acres in Montgomery county, surveyed 30th June,* 1786, *joining the lands of Joseph Eaton, Richard Muse, and James McCorcle.*

230 *acres in Wythe county, surveyed 4th November,* 1795, *on the lead mine mill creek.*

180 *acres in Albemarle county, patent, dated 5th July* 1787, *on William Hill's creek, waters of Buck Island creek.*

One undivided moiety of five lots, in the Town of Winchester, No's. 89, 90, 100, 101 *and* 109.

The above will be sold very low, and the terms made known on application to

Wm. AUSTIN.

Richmond, April 4th, 1805.

LAND for Sale.

THE Subscribers living in this place, have for sale, a Tract of LAND lying in the county of Louisa, and adjoining Yanceyville, containing 214 1 2 acres, more or less. The land is well timbered, and the same which was sold under a deed of trust from Francis Lockitt, deceased. A credit of one year will be given the purchaser, on securing the payment, bearing interest from the date if not punctually paid.

LYLE & McCREDIE.

Manchester, 1st June, 1805 3w

LAND FOR SALE.

IN pursuance of an order of the Court of Chancery for the Richmond district, will be sold at Public Auction, on Monday the 29th day of July next, on the premises A VALUABLE TRACT OF LAND, on the little Bird Creek, in the county of Goochland, belonging to the estate of the late William Anderson, of London dec'd. and known by the name of Maffies, containing by a late survey 2312 1-2 acres, divided into four lots of nearly equal extent. About two thirds of the tract, is now in woods, which is good tobacco land, and the part cleared, has been but little worn.

Terms of sale, will be one fourth in ready money, and three annual instalments for the balance. Bond with approved security, and a deed of trust upon the land will be required, to carry interest from the date, if not punctually paid.

Those inclined to view the land before the day of sale, will be shewn it by Mr. George Toler or Mr. William Toler adjoining, who can give information of the manner in which the lots are laid off.

BENJAMIN TOLER
Agent in fact, for the Executors of
WILLIAM ANDERSON, deceas'd.

Hanover; June 3d, 1805.

Land to be Rented.

I WILL rent a New-Market, 5500 acres of LAND for a term of seven years, part of which is in condition for farming. I will also rent near Orange Court-House, 2000 acres, for a term of seven years. The conditions may be known by an application to

JOHN BAYLOR.

June 11. 2m

For Sale,
YARMOUTH,

LYING in James City county, on Chickahominy River, ten miles from Williamsburg. The improvements are, a two story brick house, with two rooms and a passage above and below; portico on each side; a large and capacious barn, and three other out-houses. The whole tract, including an Island, in view of the house, high and low land with marshes, contains about 2700 acres; scarcely one third of which is cleared. Two thirds of the Island is arable, which, with the land adjoining the house, is of superior quality. Adjacent to the Island are two bold and navigable creeks with a convenient landing to each. The range for cattle is very extensive, and the marshes and meadows will supply an abundance of hay. Fish and wild fowl, in their respective seasons, may with ease be obtained at your door. The orchards, consisting of the greatest variety of all kinds of fruit, selected with care, are now in their prime. The terms will be made known by William Berkeley, of Richmond, William Randolph, of Wilton, or the subscriber. PEYTON RANDOLPH, Jun.

For ELIZ. INNES.

November 6th, 1804.—(2w N.—1aw D & J 2am af tf.

For Sale, or to be Rented,

THE HOUSE and GROUND with the appurtenances, belonging to the estate of Lewis Burwell, deceased, in this city. The house is built of brick, with a dining and a drawing room, each 24 by 28 feet, well finished, and commanding very extensive views of the river and country, which can never be intercepted; it also contains a setting room and six chambers, one of which can be entered from the street, and is well adapted to the purpose of an office for business. In front and near are strong porticos, built entirely of brick: that in front floored with marble. There are also an excellent kitchen, with a well fixed grate and ovens for cooking, a laundry, a vault, convenient dry cellars, a stable for two horses, and an unfinished carriage house. The ground is, in quantity, between two and three acres, about two acres whereof are well inlosed, and divided into a garden and grazing lot. This property is situated not far from the capitol, with streets on three sides affords a most extensive, convenient and elegant establishment, and will admit of divisions into small lots, as the growth of the city shall enhance the value of ground. Residing very near the property, I can, at any time, shew it to those who may wish to view it. The objects to which the proceeds are, by Mr. Burwell's will, to be appropriated, enable me to give very considerable accommodation in terms of payment, upon an allowance of interest.

E. CARRINGTON
Executor of L. Burwell, dec.

City of Richmond, April 18. 1805. oawtf

For Sale, or Lease,

THAT large and convenient TAVERN, situated in the centre of the town of Lynchburg, at the corner of the street leading to the court-house and jail, and not more than thirty yards from both, opposite Lynch's warehouse and the street leading from the ferry in the said town. The tavern contains four rooms and a bar on the first floor, including two very large rooms, suitable for a ball and dining room, with a sliding partition to the ball room. The second floor contains six rooms, one the size of the ball room, and the others suitable for lodging rooms, with an excellent garret. This tavern has a large portico the full length of the house, also a good dry cellar, and a well opposite the door, together with a kitchen, smokehouse, dairy, and a stable with twenty two stalls therein, with a spacious garden and yard leading to the stable.—Other improvements will be made to suit the purchaser or leaser. It is deemed unnecessary to state the great value of the above property, or say more as to the advantage arising from so central and eligible a stand for a tavern, as it is presumed no person would be inclined to purchase or lease the same without viewing the premises, there being no doubt but they would be better satisfied after seeing the convenient situation, than any information they could get from this advertisement

A liberal credit will be given to any person desirous of the purchase, or an advantageous lease.

For further particulars apply to William Rose, jr. Richmond, or the subscriber residing about three miles from Lynchburg.

SAMUEL SCOTT.

LOTS FOR SALE.

THE LOTS Nos. 39, 38 and 37, in Duval's Plan, are offered for sale.—Application to be made to J. WOOD, Surveyor for the City.

NOTICE.

RICHARD Apperson, Esq. Attorney at Law, is appointed an Agent, to collect the balances due for the Virginia Gazette, in the counties of Charlotte, Halifax, and Pittsylvania—and Mr. Hardin Davis, has the collection of balances in the counties of Albemarle, Amherst, Augusta, and Rockbridge. Those who are in arrears, it is hoped will be prepared to make payment on application.

Blank Bills of Exchange
For Sale at this Office.

NOTICE.

ALL persons indebted to the late firm of *Buchanan, Dunlop & Co.* of Petersburg, *Robert Pollok & Co.* of Richmond, and *Dunlop, Pollok & Co.* of Manchester, are hereby notified, that JAMES DUNLOP, late a partner in the above concerns, has become purchaser of all the outstanding debts: They will therefore be pleased to make payment to Mr. JOHN TOMPKINS, residing in Richmond, or the subscriber, residing in Petersburg—who alone are authorised to make collections, and grant discharges. Suits will be indiscriminately commenced against all who do not make payment before the 1st February next.

JOHN DUNLOP,
Attorney for JAMES DUNLOP.

Petersburg, Nov. 15, 1804.

J. TOMPKINS,

RESPECTFULLY informs those concerned, that he has removed the BOOKS and PAPERS of the late concern of ROBERT POLLOK & Co. and DUNLOP POLLOK & Co. to a new brick house near the Basin, and directly opposite to the Scale-House—

Where he has for Sale.

A few Pipes of old Cogniac Brandy,
of superior quality.

Richmond, December 12th, 1804

NOTICE

THERE was committed as a runaway to the jail of this county, on the 19th February last, a Negro Man, 5 feet 4 inches high, says his name is DAVID; that he was purchased by a gentleman from a man in Lancaster, Pennsylvania, and sold to a Mr. Ben Henderson, of South Carolina. The said runaway is about 24 years of age. His owner is desired to prove his property, pay charges and take him away.

J. W. REVERE, Jailor,
1aw3m *Lancaster Court-House, Virginia.*

NOTICE.
THE COPARTNERSHIP OF
ROBERT GAMBLE & SONS,
WILL BE DISSOLVED

BY mutual consent, on Saturday the 11*th instant.*—All persons indebted to the said *firm*, are earnestly entreated to make immediate payment to *either* of the subscribers. A compliance with this request, will prevent the painful necessity of resorting to coercive measures.

The Books will be placed in the possession of Messrs. John & Robert Gamble, Jun'r, who are authorized to settle all accounts due *by or to the concern.*

ROBERT GAMBLE,
JOHN G. GAMBLE,
ROBERT GAMBLE, Jun'r.

Richmond, May 6th, 1805.

THE SUBSCRIBERS take this method of informing their friends and the public, that they intend carrying on the Mercantile business, under the firm of

John & Robert Gamble, Jun.

They are now receiving by the ship Rolla, a choice selection of London GOODS, and daily expect from Liverpool a general assortment of Hardware, &c. suitable for the season, which will be sold by the piece, package, or dozen, on the most moderate terms, for cash, merchantable country produce, or on the usual credit to substantial and *punctual customers.*

They have on hand, Madeira and Sherry Wine, West-India Rum, Cogniac Brandy, Whiskey, Sugar, Pepper, Allum Copperas and Brimstone, (in pipes hhds. and casks,) Cotton and Wool Cards, patent Shot, Steel, Bar Iron, Hollow Iron Ware, German Scythes, Cutting Knives and Whetstones, Oznaburgs, Ticklenburgs, and Brown Hessians, Snuff, Cut Herrings, &c. They also possess large and convenient *Brick* Warehouses covered with *Slate*, for receiving and storing Flour, Tobacco, &c.—Those gentlemen who favor them with consignments, will find their charges reasonable; and may rely on their best exertions to afford satisfaction.

☞ The highest rates given for good Bees-wax, Bear, Deer, and Otter Skins, and other shipping Furr.

JOHN G. GAMBLE,
ROBERT GAMBLE, Jun'r.

THE SUBSCRIBER (*Robert Gamble, Sen.*) avails himself of this opportunity, to thank his numerous friends for the large share of patronage he has received in the mercantile line, and hereby tenders to the public, his future services as a *COMMISSION MERCHANT*. He flatters himself his long experience (with other circumstances unnecessary here to mention) entitles him to the confidence of those who may have business of that nature to transact in this city; assuring such, of his best endeavors to merit approbation.

Those who yet remain indebted to the late firms of Gamble & Gratton, of Staunton; of Gamble & Temple, Robert Gamble & Co. and Robert Gamble, of the city of Richmond, are oncemore earnestly requested to make *immediate* payment of their respective balances—such as continue regardless of this last notice, cannot expect longer indulgence.

(tf.) ROBERT GAMBLE.

GILLIAT & KIRBY,

Have just received by the late arrivals from London and Liverpool,

A GENERAL ASSORTMENT OF
SPRING GOODS,

Which they are now selling at their usual low prices, for cash, or country produce.

May 1805.

ELLIS & ALLAN,

have received by the Rolla from London, part of their
SPRING GOODS,
amongst which are the following articles:

LONDON Superfine Cloths and Cassimeres,
Quiltings and Dimities,
Handsome fashionable worked and laced Muslins,
3-4, 8-4 and 10-4 Diapers,
8-4, 8-10 and 10-16 Damask Table Cloths,
Gentlemen's white and brown Cotton Stockings,
Ladies' elegant laced white do.
Do. Tortoise-shell bent and braid Combs,
Chintzes, Calicoes and Furniture,
Gentlemen's black fashionable Hats,
Do. drab beaver do.
Do. do. patent silk do.
Umbrellas,
Boys' Morocco Caps, plain and furr'd,
Best Hemp Rolles,
English White Lead, Spanish Brown, Yellow Ochre, ground in oil, and Verdigrease,
Prussian and Fig Blue,
Best Boiled Oil in jars,
Durham Mustard, &c. &c.

Which added to their present stock, and those expected (daily) from Liverpool, will render their assortment general.

May 7th, 1805. (wtf.)

WHISKEY.

Taliaferro & Dickenson,
(Near the Basin)

Keep a constant supply of WHISKEY, distilled West of the Blue Ridge.

June 7, 1805. eplm.

IRISH LINENS, &c.

We have received by the late arrivals, an extensive assortment of
7-8 and 4-4 Irish Linens.
5-4 Irish Sheetings.
3-4 and 8-4 Diapers & Diaper Table Cloths.
Which, with an additional assortment of other
GOODS,
Are offered for sale at our usual low prices.

GILLIAT & KIRBY.

Richmond, June 14, 1805. 4w.

BROKER'S OFFICE.

The Subscriber has opened a
Broker's Office,

OPPOSITE the Union Tavern and over the counting house of Messrs. Thomas & Amos Ladd. All business confided to him will be transacted with strict fidelity.

THOMAS NORVELL.

Richmond, March 11, 1805. tf

HE HAS FOR SALE,
A few Shares
IN THE
Manchester Turnpike;
ALSO,
State Certificates,
Bearing six per cent. interest.

JOHN SPINDLER

RESPECTFULLY informs the Ladies and Gentlemen of Richmond, that he intends to teach DRAWING, PAINTING in Oil, Colour and Crayons—and would instruct 6 or 8 Pupils in these branches, either by waiting on them, or at his house opposite Thomas Wilson's, esq. back street.

N. B. Sign, House and Military Colours, painted by J. S.—☞ Orders from the country punctually attended to.

January 1, 1805.

Westham Iron Foundery,
NEAR RICHMOND.

THE subscriber takes the liberty of informing the Public, that he has taken a lease, and is at present working, the above Foundery; and having provided the best artists in that line, from New-York and George-Town, together with Pig Iron, of the first quality, proposes to cast, Mill Gudgeons and Inks, of every description; also, cast Iron Wheels for the Machinery of Mills; Rumford, registered and plain Grates; grate front and bottoms, for Rumfordizing fire places; large and small stoves; Franklin Stoves, for wood or coal; kitchen grates, with crane and range complete; coach warmers; plain stoves and mould plates; cast railing of every pattern, plowshares & plow boards; cast coach, phæton and chair boxes; scale weights from 1 to 60 lb; safe and clock weights: patent taw irons for smiths, on a very approved plan; backs, jams and back lays: nail cutting machines with screws complete; wheel barrow bowlers; garden ditto; cast iron anvils; fire dogs and hand irons of every description—together with any other article in the casting line, to a given pattern, at the shortest notice, by application at the furnace, or to

JAMES DUNLAP, in Richmond.

March 24th, 1804. wam.

P. S. Old Iron purchased by application as above.

FOR CHERBOURG,

The copper bottom'd SHIP
MARTHA,
Captain PETRIE,

Burthen about 650 Hhds having two thirds her cargo now engaged—is expected to sail by the 15th July, and will take 100 *a* 150 Hhds. Tobacco on a moderate freight.—For terms apply to

JOHN NEWELL, Jun. Norfolk;
OR,
BROWN, RIVES & Co.

Richmond, 1st June, 1805. 4w

Ten Dollars Reward.

LOST, on Saturday last (in Henrico Court-House, or in the streets between that and the residence of the subscriber,) A BUNDLE OF PAPERS, marked "*Henrico May term,* 1805." Within this bundle were manifests for twenty hogsheads tobacco, sundry accounts, notes and other documents, relative to suits depending in that court, and were subdivided into six bundles, and marked 1st, 2d, 3d, 4th, 5th and 6th day.

Those papers cannot be of any possible utility to any one except the subscriber and his clients—the tobacco mentioned in the manifests having been some time since delivered by the inspectors at Shockoe warehouse, and shipped.

Upon a delivery of those papers I will give the above reward, and ask no questions in relation to them. But if stolen, I will give ONE HUNDRED DOLLARS for such information as may lead to a conviction of the culprit.

SAMUEL M'CRAW.

Richmond, May 17. tf

RUN AWAY

FROM the subscriber on the 16th of April, a Negro Man by the name of MOSES: he is 5 feet 6 or 7 inches high, between 35 and 40 years old, has a bushy head of hair, straddles a good deal in his walk, from wearing a truss; is much addicted to strong liquor, and when drunk, and at all times, a sulky and insolent fellow. He has twice before made an attempt to get off, and was once taken at City Point, trying to get on board a vessel. He is well acquainted in many parts of the state, having travelled formerly with me and driven my carriage 'till within a few years. I will give TEN DOLLARS if he is taken within the county of Mecklenburg and brought home, to TWENTY DOLLARS to have him secured in any jail, so that I get him again. J. NELSON.

Mecklenburg, 29th May, 1805.

Sales at Auction.

Will be sold, on the premises, on Wednesday the 3d day of July next,

A LOT on Shockoe Hill, No. 594, adjoining the Lot whereon Mr. Sam. Greenhow lives. The terms of sale will be, one hundred pounds cash, the remainder in twelve months, to secure which a deed of trust upon the Lot will be expected.

THOMAS TAYLOR & Co. v. n.

June 12, 1805

Blank Bonds,
For Sale at this Office.